



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

सोमवार, 31 दिसम्बर, 2018 / 10 पौष, 1940

हिमाचल प्रदेश सरकार

HIGH COURT OF HIMACHAL PRADESH, SHIMLA–171 001

NOTIFICATION

Shimla, the 20th December, 2018

No. HHC/GAZ/14-53/74-VI.—In partial modification of the Notification No. HHC/GAZ/14-53/74-VI-33868-93, dated 19-12-2018, the following transfers and postings of the Judicial Officers in the interest of administration are hereby ordered with immediate effect:—

1. Sh. Rajiv Bali, Additional District and Sessions Judge-I, Kangra at Dharamshala, who is under transfer to Solan, is now transferred and posted as Additional District and Sessions Judge, Nalagarh. The officer is directed to join at his place of posting within 15 days.
2. Sh. Jaswant Singh, Additional District and Sessions Judge-II, Solan, who is under transfer to Kangra at Dharamshala, is now transferred and posted as Additional District and Sessions Judge, Sirmaur at Nahan.
3. Sh. Krishan Kumar, Additional District and Sessions Judge-II, Mandi, who is under transfer to Sirmaur at Nahan, is now transferred and posted as Additional District and Sessions Judge-III, Kangra at Dharamshala.
4. Sh. Rajesh Chauhan, Senior Civil Judge-cum-Chief Judicial Magistrate, Mandi, who is under transfer to H.P. Judicial Academy, is now transferred and posted as Senior Civil Judge-cum-Chief Judicial Magistrate, Solan.
5. Dr. Abira Basu, Senior Civil Judge-cum-Chief Judicial Magistrate, Sirmaur at Nahan, who is under transfer to Solan, is now transferred and posted as Deputy Director, H.P. Judicial Academy.
6. Sh. Prashant Singh Negi, Civil Judge-cum-JMIC, Manali, who is under transfer to Shimla, is now transferred and posted as Civil Judge-cum-JMIC, Arki.
7. Sh. Vishal Kaundal, Civil Judge-cum-JMIC, Indora, who is under transfer to Arki, is now transferred and posted as Civil Judge-cum-JMIC-IV, Shimla.

BY ORDER OF HON'BLE HIGH
COURT OF HIMACHAL PRADESH,
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 21st December, 2018

No. HHC/GAZ/14-53/74-VI.—In exercise of the powers vested under Article 229 of the Constitution of India and all other powers enabling him in this behalf, Hon'ble the Chief Justice has been pleased to order the postings of newly posted Judicial Officers in the Registry of this High Court as under:—

1. Sh. Virender Singh, Registrar General, High Court of Himachal Pradesh, Shimla.
2. Dr. Baldev Singh, Registrar (Vigilance), High Court of Himachal Pradesh, Shimla.
3. Sh. Mukesh Bansal, Secretary, Himachal Pradesh High Court Legal Services Committee.

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4. Sh. Bahadur Singh, Registrar (Judicial), High Court of Himachal Pradesh, Shimla.
 5. Sh. Vikas Bhardwaj, Registrar (Rules, Judges Branch and Protocol), High Court of Himachal Pradesh, Shimla.

BY ORDER OF HON'BLE THE CHIEF JUSTICE,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

CORRIGENDUM

Shimla, the 19th December, 2018

No. HHC/GAZ/14-53/74-VI.—In continuation of this Registry Notification No. HHC/GAZ/14-53/74-VI-33868-93 dated 19-12-2018, it is clarified that Sh. Madan Kumar, Additional District and Sessions Judge-I, Solan at Sl. No. 27 *may be read as* Additional District and Sessions Judge-I, Shimla.

BY ORDER OF HON'BLE HIGH
COURT OF HIMACHAL PRADESH,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 20th December, 2018

No. HHC/Admn. 6(23)/74-XVI.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2(32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare Civil Judge-cum-JMIC-II, Mandi, H.P. as Drawing and Disbursing Officer in respect of the Court of Civil Judge-cum-JMIC-III, Mandi and also the Controlling Officer for the purpose of T.A. etc. in respect of the establishment attached to the aforesaid court under Major head “2014—Administration of Justice” with immediate effect till the posting of new Presiding Officer in the aforesaid Court.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001**NOTIFICATION**

Shimla, the 19th December, 2018

No. HHC/GAZ/14-377/2016.—Hon'ble the Chief Justice has been pleased to grant 01 day earned leave for 22-12-2018 with permission to suffix Sunday falling on 23-12-2018 in favour of Shri Vishal, Civil Judge-cum-JMIC, Court No. 2, Sarkaghat, District Mandi, H.P.

Certified that Shri Vishal is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri Vishal would have continued to hold the post of Civil Judge-cum-JMIC, Court No. 2, Sarkaghat, District Mandi, H.P., but for his proceeding on leave for the above period.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001**NOTIFICATION**

Shimla, the 20th December, 2018

No. HHC/GAZ/14-342/2014.—Hon'ble the Chief Justice has been pleased to grant 01 day earned leave for 24-12-2018 with permission to prefix Sunday falling on 23-12-2018 & suffix gazetted holiday falling on 25-12-2018 and further 01 day earned leave for 27-12-2018 in favour of Smt. Anita Sharma, Civil Judge-cum-JMIC, Jawali, District Kangra, H.P.

Certified that Smt. Anita Sharma is likely to join the same post and at the same station from where she proceeds on leave, after expiry of the above period of leave.

Also certified that Smt. Anita Sharma would have continued to hold the post of Civil Judge-cum-JMIC, Jawali, District Kangra, H.P., but for her proceeding on leave for the above period.

By order,
Sd/-
RegistrarGeneral.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001**NOTIFICATION**

Shimla, the 20th December, 2018

No. HHC/GAZ/14-384/2018.—Hon'ble the Chief Justice has been pleased to grant 01 day earned leave for 22-12-2018 with permission to suffix Sunday falling on 23-12-2018 in favour of Ms. Apoorva Rana, Civil Judge, presently under Training in H.P. Judicial Academy, Shimla, H.P.

Certified that Ms. Apoorva Rana is likely to join the same post and at the same station from where she proceeds on leave, after expiry of the above period of leave.

Also certified that Ms. Apoorva Rana would have continued to hold the post of Civil Judge, presently under Training with H.P. Judicial Academy, Shimla, H.P. but for her proceeding on leave for the above period.

By order,
Sd/-
RegistrarGeneral.

HIGH COURT OF HIMACHAL PRADESH, AT SHIMLA-171 001

NOTIFICATION

Shimla, the 20th December, 2018

No. HHC/GAZ/14-380/2017.—Hon'ble the Chief Justice has been pleased to grant 03 days earned leave *w.e.f.* 22-12-2018 to 24-12-2018 with permission to suffix gazetted holiday falling on 25-12-2018 in favour of Ms. Vatsala Chaudhary, Civil Judge-cum-JMIC (VII), Shimla, H.P.

Certified that Ms. Vatsala Chaudhary is likely to join the same post and at the same station from where she proceeds on leave, after expiry of the above period of leave.

Also certified that Ms. Vatsala Chaudhary would have continued to hold the post of Civil Judge-cum-JMIC (VII), Shimla, H.P., but for her proceeding on leave for the above period.

By order,
Sd/-
RegistrarGeneral.

SAINIK WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 21st November, 2018

No. SWD-(F)4-6/2013-III.—The Governor, Himachal Pradesh is pleased to allow to write off an amount of Rs. 2,59,806/- (Rupees Two Lacs Fifty nine Thousand Eight Hundred Six only) being assessed value of the Sainik Cafeteria situated in State War Memorial at Dharamshala, with the permission to demolish the Sainik Cafeteria building for paving the way for installation of Vajayant Tank.

By order,
Dr. R.N. BATTA,
Secretary (Sainik Welfare).

OFFICE OF THE MUNICIPAL COUNCIL PALAMPUR***DOOR-TO-DOOR GARBAGE COLLECTION & DISPOSAL BYE-LAWS 2018*****NOTIFICATION**

Dated, the 21st November, 2018

No. 1166 MCP/2018.—The following Bye-laws made by Municipal Council Palampur, for regulating **The Door-to-Door Garbage Collection & Disposal—2018** in exercise of the powers conferred by section 202 and 217 of the Himachal Pradesh Municipal Act, 1994 (Act No. 12 of 1994) read with rule 15 (zf) of the Solid Waste Management Rules, 2016 having been confirmed by State enforcement, as required under section 217 of the aforesaid Acts are here by published for general information, namely.

***BYE-LAWS TO REGULATE DOOR-TO-DOOR GARBAGE COLLECTION & DISPOSAL OF
MUNICIPAL COUNCIL, PALAMPUR***

Notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of 30 days from the date on which the copies of the official gazette in which this notification is published are made available to the public.

Objections and suggestions, if any, may be addressed to the Executive Officer, Municipal Council Palampur Distt. Kangra, Himachal Pradesh or by email at mc.palampur@gmail.com.

The objections and suggestions which may be received from any person with respect to said draft Rules before the expiry of the period specified above, will be considered by the Municipality.

CHAPTER—1

GENERAL

1. Short title and commencement.—(a) These Bye-laws may be called **The Door-to-Door Garbage Collection and Disposal Bye-laws—2018 of Municipal Council, Palampur** for municipal solid waste management & disposal.

(b) These bye-laws shall come into force on the date of their adoption and publication in the Rajpatra the gazette of Himachal Pradesh Government.

(c) This shall apply to Palampur municipal area.

2. Definitions.—In these rules, unless the context otherwise requires.—

(A) “act” means the Himachal Pradesh Municipal Act 1994.

(B) “bulk waste generator” means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day.

- (C) "**bye-laws**" means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
- (D) "**composting**" means a controlled process involving microbial decomposition of organic matter.
- (E) "**disposal**" means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds.
- (F) "**domestic hazardous waste**" means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level.
- (G) "**door to door garbage collection**" means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises.
- (H) "**dry waste**" means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non-recyclable waste, combustible waste and sanitary napkin and diapers, etc.
- (I) "**dump sites**" means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling.
- (J) "**fine/penalty**" means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these or bye-laws.
- (K) "**municipality**" means the municipal council Palampur of Himachal Pradesh .
- (L) "**non-biodegradable waste**" means any waste that cannot be degraded by microorganisms into simpler stable compounds.
- (M) "**sanitary land filling**" means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion.
- (N) "**sanitary waste**" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste.
- (O) "**schedule**" means the schedule indicating the rate in respect of sign boards.
- (P) "**secondary storage**" means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility.

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- (Q) "**segregation**" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non recyclable combustible waste, sanitary waste and non-recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes.
- (R) "**“service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc.
- (S) "**“user fee/charge”** means a fee imposed by the local body and any entity mentioned in rule on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
- (T) "**“waste picker/Collector”** means a person or groups of persons informally engaged in collection and recovery of re-usable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood. Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (Prevention and Control of Pollution) Act, 1981, Himachal Pradesh Municipal Act, 1994 and Solid Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Acts and Rules.

CHAPTER—II

MANAGEMENT OF MUNICIPAL SOLID WASTE

3. Municipal Solid Waste Management.—The Municipal Council Palampur shall establish an integrated Solid Waste Management (SWM) system with an aim to reduce the amount of waste being disposed, while maximizing resources recovery and efficiency. The preferred waste management system shall focus on the following points, namely.—

- (i) **Reduction and reuse at source.**—The most preferred option for Solid Waste Management shall be prevention of waste generation. It will be helpful in reducing the handling, treatment, and disposal costs and specially reduce various environmental impacts such as leachate, air emissions and generation of greenhouse gases.
- (ii) **Waste recycling.**—Recovery of recyclable material resources through a process of segregation, collection and re-processing to create new products shall be the next preferred alternative.
- (iii) **Composting.**—As far as possible the organic fraction of waste shall be composted and used to improve soil health and agricultural production adhering to norms.
- (iv) **Waste-to-Energy.**—Where material recovery from waste is not possible, energy recovery from waste through production of heat, electricity or fuel may be preferred. Bio-methanation, waste incineration, production of Refuse Derived Fuel (RDF) and co-processing of the sorted dry rejects from municipal solid waste are to be commonly adopted “Waste to Energy” technologies.

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- (v) **Waste disposal.**—Remaining residual waste, which ideally comprises of inert, shall be disposed in sanitary landfills constructed in accordance with stipulations of the Solid Waste Management Rules, 2016.
- (vi) The Integrated Solid Waste Management system shall be environment friendly. Waste minimization, waste recycling, waste-to-energy strategies and landfill gas capture and use which are promoted in the Solid Waste Management Rules, 2016 shall be adopted for reduction of greenhouse gases.
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CHAPTER—III

MUNICIPAL SOLID WASTE COLLECTION & TRANSPORTATION

4. Segregation & Primary Storage of Municipal Solid Waste.—(a) It will be prime responsibility of every waste generator/citizen to segregate the waste generated by them in three separate streams namely bio-degradable, non biodegradable and domestic hazardous wastes in suitable covered bins and handover segregated wastes to authorized waste pickers or waste collectors designated by ULBs or Agency Hired by ULBs once a day or at the frequency as decided by respective local body on the timing fixed by the service provider. Every citizen has to pay a fixed monthly rental for the services of door-to-door garbage collection.

(b) Waste generators shall be encouraged to segregate waste and store at source in three separate colour bins *i.e. green—for biodegradable waste, blue—for non biodegradable, red—for domestic hazardous waste.*

(c) All institutions with more than 5,000 sqm. area shall, within one year from the date of notification of these bye-laws and in partnership with the Municipal Council ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the Municipal Council Palampur.

(d) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the Municipal Council, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the Municipal Council Palampur.

(e) Used sanitary waste are to be securely wrapped as and when generated in the pouches provided by the manufacturers or brand owners of these products or in a newspaper or suitable biodegradable wrapping material and place the same in the bin meant for non-biodegradable waste or dry waste.

(f) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, *etc.*, and shall deposit such waste at waste storage depot or container or vehicle as notified by the Municipality.

(g) Store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016.

(h) Bulk waste generators of garden and horticulture waste like park, stadium etc. shall store separately in their premises and dispose of the same as may be prescribed by the Municipal Council Palampur from time to time.

(i) No untreated bio-medical waste, e-waste, hazardous chemicals and industrial waste shall be mixed with municipal solid waste and such waste shall follow the rules specifically separately specified for the purpose.

(j) Every waste generator has to ensure that there is no practice of burning or burying the solid waste generated by him, throwing on streets/open public spaces outside his premises or in the drain or water bodies.

(k) Littering of waste on streets/open space/water bodies/drain shall be fined on the spot. On iterative they will be punishable and can subject to court as per rule.

(l) Time to time awareness generation campaigns should be organised to motivate people. RWA (Resident Welfare Association), Local NGOs, representative of public association and elected local member should be involved in the programme to motivate citizen.

5. Primary Collection of Municipal Solid Waste.—(a) Each and every house in the city/town should approached for the primary collection of waste by means of wheel barrow, push cart, tricycle, small auto tipper depending on the size of road available.

(b) Municipal Council Palampur have to arrange for daily door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non-residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location.

(c) Municipal Council Palampur have to establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door-to-door collection of waste.

(d) Municipal Council Palampur have to facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration of informal waste pickers in solid waste management including door-to-door collection of waste.

(e) Municipal Council Palampur have to collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation.

(f) Municipal Council Palampur have to collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible.

(g) Time for the door-to-door collection services will have to fix by the concern ULBs. Generally timing should be between 6.00 A.M. to 9.00 A.M. For proper waste collection vehicle such as tricycle, auto tipper used for door-to-door garbage collection should be equipped with Alarm with audible decibel fixed as per the rules and timing should be strictly followed by the sanitation workers.

(h) For door-to-door garbage collection from commercial complex, offices and secondary bins timing should be between 9.00 A.M. to 11.00 A.M.

(i) For proper solid waste management & grievance redress Municipal Council Palampur should set up small office/centre in each ward of their boundaries.

(j) Under door-to-door services user charge for collection should be formulated on the following criteria.

Sr. No.	Category of user	User charge on monthly basis (INR)
1.	Household (area less than 2000 sq. feet)	50
2.	Household (area more than 2000 sq. feet)	100
3.	Commercial Complex (Dhabba, sweet shop, coffee houses, provisional stores).	350
4.	Pan shop	80
5.	Tea shop	80
6.	Shops (Daily needs, clothes)	100
7.	Vegetables & fruits shops (wholesale)	1000
8.	Vegetables & fruits shops (Retails)	250
9.	Sweets/snacks shop (big)	400
10.	Offices (2 rooms)	100
11.	Offices (3—5 rooms)	250
12.	Offices (6—10 rooms)	1000
13.	Offices(11—20 rooms)	2000
14.	Offices (more than 20 rooms)	2000 for 20 rooms + 100 per additional room.
15.	Bank Bank Floor Area >1000 sq.feet	500 750
16.	Govt. Schools	100
17.	Private schools upto 100 students on producing students enrolment certificates.	500
18.	Private schools (more than 100 students)	1500
19.	Bakeries (small)	500
20.	Bakeries (manufacturing units)	1200
21.	PG Hostel/Guest house (upto 10 rooms)	500
22.	PG Hostel/Guest house (11—20 rooms)	1500
23.	PG Hostel/Guest House (21—30 rooms)	2500
24.	PG Hostel/Guest House (more than 30 rooms)	2500 for 30 rooms + 500 per additional room.
25.	Dharamshala	550
26.	Factories (manufacturing unit) other than notify in any category.	1500
27.	Workshop (tyre puncture shop)	100
28.	Workshop (repair shop)	250
29.	Workshop (repair + spare parts shop)	500
30.	Workshop *(vehicle showroom, repair & spare parts)	750
31.	Workshop (those not touching any NH or SH)	300
32.	Restaurants	1500
33.	Restaurants + bars	1700
34.	Cinema hall (theater multiplex)	1500
35.	Govt. Collage	1000
36.	Private Collage	1500
37.	Hospital/nursing home (upto 50 beds)	1500

38.	Hospital/Nursing home (51—100 beds)	2000
39.	Hospital/nursing home (more than 100 beds)	2000+250 per additional bed.
40.	Clinics	150
41.	Clinics with medicines shops	250
42.	Chemist shop	200
43.	Laboratory	200
44.	Banquet hall/Hotel	2000 & 2000 per trip on demand.
45.	Special Hotel More than 50 rooms	15000 & 2000 per trip on demand.
46.	Vehicle on demand for dumper	3000 per trip
47.	Big malls	2000 per floor
48.	Meat shops (other than subscribed with chicken waste collection vehicle).	500
49.	Confectionary + Veg. Shop	250
50.	Scrap dealer	400
51.	Street Vendor	100
52.	Cow Dung from cattle at house hold	350
53.	Any other establishment (s) not mentioned above.	To be decided by ULB

Note.— User charge as prescribed above can be revised by the ULB time to time keeping in view the polluter pay principle to meet the operation and maintenance cost of the services under Solid waste management.

(k) User charge mentioned above for door-to-door services needs to be collected from each and every household & other establishments of all the wards in the municipal boundaries of the ULBs. Users charge decided above, contact person's name & number needs to be conveyed to general public through different media such as display on the vehicles used for these services, hoardings, pamphlets etc. Also, awareness generation campaigns need to be organised.

(l) No manual loading or unloading of waste in compactor should be practised with open hand or without safety measure as per the Solid Waste Management Rules, 2016.

6. Secondary Storage of Municipal Solid Waste.—Municipality by their own or with help of Agency hired needs to develop storage bins/ secondary storage points for the collection of waste generated in the town, they will also be responsible to monitor the condition of these bins so that no filthy or unhygienic condition develops around. While establishing or monitoring secondary storage bins following precaution needs to be taken care.—

- (a) Storage/Secondary storage bins should be designed and develop on the basis of the quantity of waste generated, density of population in the notified municipal boundaries. Minimum distance between two bins should be 500 meters and within radius of 1 Km. maximum numbers of bins should limited upto 5. Established bins must be covered with movable lid and must approachable/connected with metallic or non-metallic road.
- (b) Bins provided by Municipal Council or any hired agency should be designed in such a manner so that waste disposed in does not get scattered in open atmosphere and it should be artistic in nature so that it motivates people to dispose their waste in the bins not in open.

- (c) Bins placed at designated place by Municipal Council or any hired agency should motivate people to practice waste segregation and it should be placed as per Solid Waste Management Rule, 2016 having colour coding for different types of waste.

® Green.—Biodegradable waste (Food Waste, garden waste).

® Blue.—Non-Biodegradable waste.

® Red.—Hazardous or toxics waste.

- (d) Well-designed Vehicle like auto Tipper/Compactor should be used for the purpose of transportation of waste and evacuating the bins.
- (e) All the co-operative society, residential welfare association/society, institutional organisation will be responsible to place suitable quantity of bins approved by the Municipal Council on the fixed place in their compound so that waste generated from there can be stored properly and collected from time to time by the municipal vehicle. User charge for these services fixed by the ULBs should be collected by the authorised person of local body.
- (f) It will be prime responsibility of all the waste generators/citizens to store and sell/handover the recyclable waste to the Ragpickers/Kabadiwala or person/organisation designated by the Municipal Council. They have to ensure that no such waste is being disposed on the road/drain/secondary storage bins/open space.
- (g) Door-to-door garbage collection, secondary storage bins, collection & transportation, processing of waste and disposal of waste in sanitary land fill site, all these services will be provided by Municipal or any hired agency. ULBs will charge user fee for all these services and violator will be fined on the spot or punished and can be subjected to court as per rule.
- (h) Waste from the slaughter house, fish market, fruit & vegetable market is biodegradable in nature, so proper storage facility should be designed so that no health hazard spreads from this & facility for composting should be developed to make use of such waste in generating organic manure from it. For ensuring proper disposal of such waste every generator have to ensure best storage facility and segregation of such waste at source and door-to-door collection should be practiced by ULBs to collect 100% of such waste and take to processing plant. On violation, waste generator should be fined on the spot or punished and can be subjected to court as per rule.
- (i) Municipal Council Palampur have to establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometres or part thereof and notify the timings of receiving domestic hazardous waste at such centres.
- (j) Bio medical & industrial waste should not be mixed with municipal waste and such waste should be stored and disposed separately as per the rules applicable. For the disposal of bio-medical waste common bio-medical waste treatment facility (CBMWTF) should be developed in each ULB either separately or on the cluster basis. By paying the fixed user fee such waste can be easily disposed off.

- (k) Construction and demolition waste should be stored separately as and when generated, in his/her own premises and shall be disposed off as per the Construction and Demolition Waste Management Rules, 2016. ULBs should fix user charge for transportation and disposal of C&D waste and generator should dispose this waste by paying the charge as per the rules and at the designated place. Disposing of such waste in open space, road side, common place will be treated as illegal and fined as per the rules.
- (l) Gardening/Horticultural waste should also be stored separately at source. ULBs should fix a day or two in week and some place where generator should give their waste and from there it should be transported to disposal site.
- (m) Dry leaves, plastic and other such waste should not be burnt in open, doing such activity will be treated as illegal and punishable, violator should be fined as per the rules.
- (n) Stray animal should be restricted from roaming in and around the waste disposal site & secondary storage bins or any public place in the town.
- (o) Every citizen, institutions, office buildings, commercial complexes has to ensure that there is no open discharge of grey water, black water or any other such polluted water in drain, open space or on road which can spread health issues, doing such activity will be treated as illegal and punishable as per the rules.
- (p) No person should dispose dead animal or any such material in open space, road side, community park or any other place which can spread pollution and health issues, doing such activity will be treated as illegal and punishable as per the rules.
- (q) Municipal Council Palampur have to set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transportation vehicle is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body.
- (r) Municipal Council Palampur can develop bins free solid waste management facility but for this 100% waste collection from the door step of the generator should be ensured.

7. Secondary Collection & Transportation of Municipal Solid Waste.—(a) Each storage bins/secondary storage bins should be attended daily by the help of auto tipper, tractor, compactor etc.

(b) Closed vehicle should be used for the transportation of waste. To reduce the frequency of loading and unloading of waste compactor should be used.

(c) Municipal Council Palampur will have to ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility.

(d) Transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for onsite processing of such waste.

(e) Transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility. Ensure transportation of construction and

demolition waste as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

CHAPTER—IV

MUNICIPAL SOLID WASTE PROCESSING & DISPOSAL

8. Waste Processing Plant.—Municipal Council Palampur with help of State Pollution Control Board approval needs to develop solid waste management/processing plant to make use of daily generated biodegradable waste so that it can reduce the quantity of waste being disposed at the sanitary land fill site.

(a) Municipal Council Palampur have to collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions.

(b) Involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility.

(c) For processing of Biodegradable Waste Municipal Council have to establish waste processing plant such as composting plant—windrow compost plant, vermin composting plant, waste to energy or any other such technology by their own or with help of any other licensed company/firm/organisation on Build—operate transfer (BOT)/Object Oriented (OO) method.

(d) For processing of mixed recyclable waste Municipal Council have to establish recycling unites such as incineration, RDF Plant or other such recycling technology by their own or with help of any other licensed company/firm/organisation on Build—Operate—Transfer (BOT)/ Object Oriented (OO) method.

(e) Municipality may also send the non-biodegradable/dry waste as RDF to nearby cement factories for co-processing.

9. Waste Disposal.—(a) Municipal Council Palampur have to stop land filling or dumping of mixed waste soon after the timeline for setting up and operationalisation of sanitary landfill is over.

(b) Municipal Council Palampur have to allow only the non-usable, non-recyclable, nonbiodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill.

(c) Sites shall meet the specifications as given in Schedule—I of Solid Waste Management Rules, 2016, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill.

(d) Municipal Council Palampur have to investigate and analyses all old open dumpsites and existing operational dumpsites for their potential of bio mining and bio-remediation and where so ever feasible, take necessary actions to bio-mine or bio-remediate the sites.

(e) Municipal Council Palampur have to ensure that in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

CHAPTER—V

MONITORING BY WARD COMMITTEE

Constitution of Ward Sanitation Committee.—A Ward Sanitation Committee shall be constituted in each ward of the Municipal Council. The Ward Sanitation Committee shall have 11 to 15 members. The members of the WSC would comprise of ward member, sanitary inspector, tax collector or a designated officer by Municipal Council for each ward, representatives of Residential Welfare Associations (RWAs) of the ward, representatives from slum sanitation committee, representatives of Community Based Organizations (SHGs, youth club etc), local leaders, senior citizens etc. The Ward Sanitation Committee shall oversee the sanitation activity in the ward.

CHAPTER—VI

STAKEHOLDER'S RESPONSIBILITIES**10. Responsibilities of various stakeholders:**

10.1 Responsibilities of Waste Generators.—(a) No waste generator shall throw the waste generated by him on the street, open spaces, drain or water bodies.

(b) No person shall let the dirty water, mud, night soil, cow dung, urine, polluted water from their own house, organisation, commercial establishments to accumulate in their own compound nor let it flow on common streets in a way that the environment gets polluted by foul smell or poses a threat to public health.

(c) To wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste.

(d) All citizens shall have the responsibility to dispose of the recyclable waste generated in their complexes to the waste pickers authorised by the Municipal Council or waste collector or containers of the Municipal Council and not put it on the road under any circumstances.

(e) All waste generators shall pay user fees as specified in these bye-laws.

(f) No waste generator shall throw, burn or burry the solid waste generated by him on streets, open public spaces outside his premises or in the drain or water bodies,

(g) No dead animals or their remains to be thrown in any public places or any such place, which create any kind of pollution.

(h) If any person is found violating activities prohibited for doing, fine charges shall be collected from the offender by the Municipal Council.

10.2 Responsibility of Ward Sanitation Committee.—(a) The Ward Sanitation Committee shall oversee the sanitation and cleanliness activities in ward.

(b) The Ward Sanitation Committee shall act as a grievances redressal point on sanitation issues at ward level.

(c) The Ward Sanitation Committee shall have the power to impose fine on any offender and also have the power to waive of penalties.

(d) The Ward Sanitation Committee will promote home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygiene around the facility.

(e) The Ward Sanitation Committee will give warning to any offenders of these bye-laws. After two warning by the Ward Sanitation Committee or the Municipal Council, penalty shall be collected from the violator as per the provisions of these bye-laws.

10.3 Responsibility of the Municipal Council Palampur.—(a) The Municipal Council Palampur shall within its territorial area , be responsible for ensuring daily and throughout the year system of cleaning of all common roads, places, temporary settlements, slums, areas, markets, its own parks, gardens, tourist spots, cemeteries and shall be bound to collect the garbage from the nearest declared storage containers, and transport it every day to the final disposal point in closed vehicles for which the municipal authority may engage private parties on contract or Public Private Partnership mode, apart from its own permanent cleaning staff and vehicles.

(b) The Municipal Council Palampur or the authorized agency engaged by the Municipal Council shall provide and maintain suitable community bins on public roads or other public spaces.

(c) The Municipal Council Palampur for the purpose of managing such sanitation activities in decentralised and regular manner shall designate one ward officer, in every ward to supervise the spots of containers, public toilets, community toilets or urinals in public places, transfer station for public garbage, landfill processing units etc. for final disposal of city's garbage.

(d) The designated ward officer by the Municipal Council shall also be a member of the concerned Ward Sanitation Committee which shall act as the first point of grievance redressal on sanitation issues of the concern ward and meet complaints of citizens on issues of sanitation.

(e) The Municipal Council shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the technologies and the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board.

(f) The Municipal Council shall create awareness through Information, Education and communication (IEC) campaign and educate the waste generators on minimal generation of waste, not to litter, re-use the waste to the extent possible, practice segregation of wet bio-degradable waste, dry recyclable and combustible waste and domestic hazardous waste at source, wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste, storage of segregated waste at source and payment of monthly user fee.

(g) Chemical fertilizers shall be replaced by use of compost in all parks, gardens maintained by the Municipal Council and any other places within two years of notification.

(h) Promote recycling initiatives by informal waste recycling sector.

(i) The Municipal Council shall make efforts to streamline and formalize Solid Waste Management Systems and endeavour that the informal sector workers in waste management (rag

pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of Solid Waste Management in cities.

(j) Ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

(k) Ensure occupational safety of the Municipal Council own staffs and staffs of outsource agency involved in collection, transport and handling waste by providing appropriate and adequate personal protective equipment's.

(l) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to the Municipal Council immediately which shall review and issue instructions if any, to the in-charge of the facility.

CHAPTER-VII

PROSECUTION & PENALTIES

11. Prosecution.—(i) Prosecution can be made on violation of above said rules Under Municipal Solid Waste Management Rules, 2016, Himachal Pradesh Municipal Act, 1994 and Environmental Protection Act, 1986. Even the prosecution can be made on the official/workers responsible for implementing so called services under the above said Byelaws if they are not performing their task or delaying their responsibility to implement the services.

(ii) Whosoever contravenes the provision of above said Bye-laws shall be in addition to the penalties already mentioned under any act/rules/laws/bye-laws for time being in force would be liable for disconnection of water supply, electricity and other civic amenities and the Executive Officer/Secretaries of the ULB may request the competent authorities to withdraw any other services if granted in favour of Institution/Commercial Establishment/person committing the offence.

12. Penalties.—On the violation of above said municipal Bye-laws fixed penalties are as below.—

Sl. No.	Offence	Municipal council
1.	Littering by people of residential colony	Rs. 500 per day
2.	Open dumping by shopkeepers	Rs. 1000 per day
3.	Littering / open dumping by restaurants Owners	Rs. 2000 per day
4.	Littering / open dumping by Hotel Owners	Rs. 2000 per day
5.	Littering / open dumping by industries	Rs. 5000 per day
6.	Street vendor like fast-food, chat, ice cream, juice corner etc.	Rs. 250 per day
7.	Open defecation/urination in public place	Rs. 500 per offence committed
8.	Disposal of dung in open space/public place	Rs. 2000 per day
9.	Disposal of construction & demolition waste in open space/road side/public place by resident.	Rs. 2000 per day
10.	Littering of waste like dung, construction & demolition waste on road while transporting through private tractor/vehicle.	Rs. 2000 per day

11.	Disposal of waste water from house in non-authorized place.	Rs. 2000 per day
12.	Disposal in sewer in non- authorized place	Rs. 5000 per day
13.	Not keeping of closed dust bins in adequate number & quantity by owners mention from SI. No. 2—6.	Rs. 5000 per day
14.	Spilling of oil, Dust, water & other material by road side Motar, Bike, Bicycle repair mechanics	Rs. 1000 per day
15.	Disposal of skin, feather, blood, flesh, or any other material of animal (s) by shopkeeper.	Rs. 2000 per day
16.	Littering by pet animals like dogs, cow, etc on road side/open space/community place.	Rs. 1000 per day
17.	Littering or disposal of waste in front of Marriage hall, community place, exhibition hall, mela ground.	Rs. 5000 per day
18.	Encroachment of Road for by Dhabas or any other such shop and disposing of waste on road side, open space.	Rs. 1000 per day
19.	Encroachment of road for by fruit, vegitable local vendor and disposing of waste on road side, open space.	Rs. 250 per day
20.	Encroachment of Road hair cutting salon and disposing of waste on road side, open space.	Rs. 250 per day
21.	Encroachment & disposal of construction & demolition waste in open space/road side/public place by Business man, shopkeepers.	Rs. 5000 per day
22.	Disposal of waste by Private Nursing home/hospital, clinics Dispensaries on road side, open space.	Rs. 5000 per day
23.	Non-Segregation of waste at source	
i.	Residents	Rs. 250 for first offence and Rs. 500 for second & subsequent offences in a month.
ii.	Shopkeepers	Rs. 500 for first offence and Rs. 1000 for second & subsequent offences in a month.
iii.	Restaurants owners	Rs. 1000 for first offence and Rs. 2000 for second & subsequent offences in a month.
iv.	Hotel Owners	Rs. 1500 for first offence and Rs. 2500 for second & subsequent offences in a month.
v.	Industrial Establishment	Rs. 3000 for first offence and Rs. 5000 for second & subsequent offences in a month.
vi.	Sweets, snacks, fast food. Ice-creams, sugar cane & other juice and vegetables vendor carts.	Rs. 250 for first offence and Rs. 500 for second & subsequent offences in a month.

13. Repeal/Contradict.—Once these bye-laws come into force any other rules, bye-laws, policy with regard to this matter adopted by any ULB will be considered as disaffirm.

Any work done or scheme implemented under any previous rules/bye-laws will not be impugning unless until it is just opposite or completely contrary to the action to be taken under the above said bye-laws.

By order,

(LALIT KUMAR),
Executive Officer
Municipal Council Palampur.

[Authoritative English test of this Department Notification No.EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 24/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-section (1) of section 9 and sub-section (5) of section 15 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on the recommendations of the Council, is pleased to make the following further amendments in the notification of the Government of Himachal Pradesh, No.1/2017-State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, vide number EXN-F(10)-14/2017-Loose, dated the 30th June, 2017, namely:- In the said notification,—

- (A) in the opening paragraph, after the words, brackets and figures “sub-section (1) of section 9”, the words, brackets and figures “and sub-section (5) of section 15”, shall be inserted;
- (B) **in Schedule I - 2.5%,**

- (i) S. Nos. 23, 24 and the entries relating thereto, shall be omitted;
- (ii) after S. No. 123 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: —

“123A	2515 11 00	Marble and travertine, crude or roughly trimmed”;
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- (iii) S. No. 198A shall be re-numbered as S. No. 198AA, and before S. No. 198AA as so re-numbered, the following serial number and entries shall be inserted, namely:

“198A	4501	Natural Cork, raw or simply prepared”;
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- (iv) in S. No. 224, for the entry in column (2), the entry “63 [other than 6305 32 00, 6309] shall be substituted;
- (v) in S. No. 225, for the entry in column (3), the entry “Footwear of sale value not exceeding Rs.1000 per pair” shall be substituted;

- (vi) for S. No. 225A and the entries relating thereto, the following serial numbers and the entries shall be substituted, namely:—

“225A	6602 00 00	Walking-Sticks including seat sticks
225B	6815	Fly ash bricks or fly ash aggregate with 90 percent or more fly ash content; Fly ash blocks”;

- (vii) in S. No. 234, in the entry in column (3), , the following *Explanation* shall be inserted in the end, namely,

“*Explanation:* If the goods specified in this entry are supplied, by a supplier, along with supplies of other goods and services, one of which being a taxable service specified in the entry at S. No. 38 of the Table mentioned in notification No. 11/2017-State Tax (Rate), dated 30th June, 2017, the value of supply of goods for the purposes of this entry shall be deemed as seventy per cent of the gross consideration charged for all such supplies. The remaining thirty per cent of the gross consideration charged shall be deemed as value of the said taxable service”;

- (viii) S. No. 243A shall be re-numbered as S. No. 243B, and before S. No. 243B as so re-numbered, the following serial number and entries shall be inserted, namely:

“243A	8714 20	Parts and accessories of carriage for disabled persons”;
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(C) in Schedule II - 6%,

- (i) after S. No. 101 and the entries relating thereto, the following serial numbers and the entries shall be inserted, namely:—

“101A	4502 00 00	Natural cork, debacked or roughly squared, or in rectangular (including square) blocks, plates, sheets or strip (including sharp-edged blanks for corks or stoppers)
101B	4503	Articles of natural cork such as Corks and Stoppers, Shuttlecock cork bottom
101C	4504	Agglomerated cork (with or without a binding substance) and articles of agglomerated cork ”;

- (ii) S. No. 102,126 and the entries relating thereto, shall be omitted;

- (iii) S. No. 171A shall be re-numbered as S. No. 171AA, and before S. No. 171AA as so re-numbered, the following serial number and entries shall be inserted, namely:—

“171A	63053200	Flexible intermediate bulk containers”;
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- (iv) in S. No. 173, in the entry in column (3), the words and commas“walking-sticks, seat-sticks,” shall be omitted;

- (v) S. No. 177 and the entries relating thereto, shall be omitted;

(D) in Schedule III - 9%,

- (i) S. No. 121A shall be re-numbered as S. No. 121B, and before S. No. 121B as so re-numbered, the following serial number and entries shall be inserted, namely:—

“121A	4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, tyre treads and tyre flaps, of rubber”;
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- (ii) S. Nos. 142, 143, 144 and the entries relating thereto, shall be omitted;
- (iii) in S. No. 369A, for the entry in column (3), the entry “Transmission shafts (including cam shafts and crank shafts) and cranks; bearing housings and plain shaft bearings; gears and gearing; ball or roller screws; gear boxes and other speed changers, including torque converters; flywheels and pulleys, including pulley blocks; clutches and shaft couplings (including universal joints)” shall be substituted;
- (iv) after S. No. 376AA and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

“376AAA	8507	Lithium-ion accumulators (other than battery) including lithium-ion power bank”;
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- (v) in S. No. 383A, in the entry in column (3), after the words “television cameras”, the comma and words “,digital cameras and video camera recorders”, shall be inserted;
- (vi) in S.No. 383C, in the entry in column (3), for the figure and word“68 cm”,the figure and word “32 inches” shall be substituted;
- (vii) in S.No. 384, in the entry in column (3), for the figure and word“20 inches”, the figure and word“32 inches” shall be substituted;
- (viii) S. No. 440A shall be re-numbered as S. No. 440B, and before S. No. 440B as so re-numbered, the following serial number and entries shall be inserted, namely:

“440A	9504	Video game consoles and machines, articles of funfair, table or parlour games, including pintables, billiards, special tables for casino games and automatic bowling alley equipment [other than playing cards, ganjifa card, chess board, carom board and other board games of 9504 90 90 like ludo etc.]”;
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(E) in Schedule IV - 14%,

- (i) S. No. 47 and the entries relating thereto, shall be omitted;
- (ii) S. No. 135and the entries relating thereto, shall be omitted;
- (iii) in S.No. 139, in the entry in column (3), after the words “other than Lithium-ion battery”, the words “and other lithium ion accumulators including lithium ion power banks” shall be inserted;
- (iv) S. No. 151 and the entries relating thereto, shall be omitted;
- (v) in S.No. 154, in the entry in column (3), for the figure and word “20 inches” and the figure and word “68 cm”, both, the figure and word “32 inches” shall be substituted;

(vi) for S. No. 174 and the entries relating thereto, the following serial number and the entries shall be substituted, namely:—

“174	8714	Parts and accessories of vehicles of heading 8711”;
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- (vii) S. No. 215 and the entries relating thereto, shall be omitted.
2. This notification shall come into force on the 1st January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note.—The principal notification No.1/2017-StateTax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10)-14/2017-Loose, dated the 30th June, 2017 and last amended by Notification No. 18/2018-State Tax (Rate) dated 27th July 2018 published in the Gazette of Himachal Pradesh *vide* number EXN-F(10)-24/2018, dated the 27th July 2018.

[Authoritative English text of this Department Notification No.EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 25/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-sections (1) of section 11 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on the recommendations of the Council, is pleased to make the following further amendments in the notification of the Government of Himachal Pradesh, No.2/2017-State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10)-14/2017-Loose, dated the 30th June, 2017, namely:—

In the said notification,—

1. In the schedule,
- (i) for S. No. 43A and the entries relating thereto, the following serial numbers and the entries shall be substituted, namely:—

“43A	0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen
43B	0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption”;

- (ii) after S. No. 121 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:—

“121A	4904 00 00	Music, printed or in manuscript, whether or not bound or illustrated”;
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- (iii) after S. No. 152 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:—

“153	Any chapter	Supply of gift items received by the President, Prime Minister, Governor or Chief Minister of any State/ Union Territory, or any public servant, by way of public auction by the government, where auction proceeds are used for public or charitable cause”.
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2. This notification shall come into force on the 1st January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note.—The principal notification No.2/2017-State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10)-14/2017-Loose, dated the 30th June, 2017 and last amended by Notification No. 19/2018 – State Tax(Rate) dated 27th July, 2018 published in the Gazette of Himachal Pradesh *vide* number EXN-F(10)-24/2018, dated the 27th July 2018.

[Authoritative English text of this Department Notification No.EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 26/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-section (1) of section 11 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council hereby exempts the intra-State supply of gold falling in heading 7108 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when supplied by Nominated Agency under the scheme for "Export Against Supply by Nominated Agency" as referred to in paragraph 4.41 of the Foreign Trade Policy, read with relevant provisions of Chapter 4 of Handbook of Procedures, Volume-I, to registered exporter of jewellery (herein referred to as "recipient"), from the whole of the **State** Tax leviable thereon, under section 9 of the Himachal Pradesh Goods and Services Tax Act, 2017, subject to following conditions, namely:—

- (i) the Nominated Agency and the recipient shall follow the conditions and subject observe the procedures as prescribed in the Foreign Trade Policy read with Handbook of Procedures, Volume-I.
- (ii) the recipient shall export the jewellery made out of such gold within a period of 90 (ninety) days from the date of supply of gold to such recipient and shall

provide copy of shipping bill or bill of export containing details of Goods and Services Tax Identification Number (GSTIN) alongwiththe invoice for exports to the Nominated Agency within a period of 120 (one hundred and twenty) days from the date of supply by the Nominated Agency.

- (iii) wherever such proof of export is not produced within the period mentioned in clause (ii), the Nominated Agency shall pay the amount of **State** Tax payable on the quantity of gold not exported,along with interest from the date when tax on such supply was payable, but for the exemption.

*Explanation.—*for the purpose of this notification,—

- (a) "Foreign Trade Policy " means the Foreign Trade Policy, 2015-2020, notified by Government of India in the Ministry of Commerce and Industry published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) *vide* notification No.1/2015-2020, dated 1st April, 2015.
 - (b) "Handbook of Procedures, Volume-1" means the Handbook of Procedure, Volume-1, notified by Government of India in the Ministry of Commerce and Industry published in the Gazette of India, Extraordinary, Part-I, Section 1, *vide* Public Notice No.1/2015-2020, dated 1st April, 2015.
 - (c) "Nominated Agency" means entities mentioned in List 32 of Notification No. 50/2017-Customs dated 30th June 2017;
 - (d) “Heading” means heading as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).
2. This notification shall come into force on the 1st January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

[Authoritative English test of this Department Notification No.EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 27/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-section (1) of section 9, sub-section (1) of section 11,sub-section (5) of section 15 and sub-section (1) of section 16 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on the recommendations of the Council, and on being satisfied that it is necessary in the public interest so to do, is pleased to make the following further amendments in the notification of the Government of Himachal Pradesh No.11/2017- State Tax (Rate), dated the 30thJune, 2017,

published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017), dated the 30th June, 2017, namely:—

1. In the said notification,—

(i) in the Table,—

(a) against serial number 3, in column (3), in item (xii), after the brackets, figures and word “(xi) above”, the word and number “and serial number 38 below” shall be inserted;

(b) against serial number 7, in column (3), in item (i), in Explanation 1, the words “school, college” shall be omitted;

(c) against serial number 8,—

(A) after item (iv) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be inserted, namely:—

(3)	(4)	(5)
“(iva) Transportation of passengers, with or without accompanied baggage, by air, by non-scheduled air transport service or charter operations, engaged by specified organisations in respect of religious pilgrimage facilitated by the Government of India, under bilateral arrangement.	2.5	Provided that credit of input tax charged on goods used in supplying the service has not been taken [Please refer to clause (iv) of paragraph 4 relating to Explanation]”;

(B) in column (3), in item (vii), after the brackets and figures “(iv),” the brackets and figures “(iva),” shall be inserted;

(d) against serial number 15, for item (vi) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:—

(3)	(4)	(5)
“(vi) Service of third party insurance of “goods carriage”	6	-
(vii) Financial and related services other than (i), (ii), (iii), (iv), (v), and (vi) above.	9	-”;

(e) against serial number 17, for item (viii) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be substituted, namely:—

(3)	(4)	(5)
“(viiia) Leasing or renting of goods	Same rate of central tax as applicable on supply of like goods involving transfer of title in goods	-

(viii) Leasing or rental services, with or without operator, other than (i), (ii), (iii), (iv), (v), (vi), (vii) and (viiia) above	9	-";
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- (f) against serial number 21, in column (3), in item (ii), after the brackets, figures and word “(i) above”, the words and number “and serial number 38 below” shall be inserted;
- (g) against serial number 25, in column (3), in item (ii), after the brackets, figures and word “(i) above”, the words and number “and serial number 38 below” shall be inserted;
- (h) against serial number 34,—
- (A) against item (ii) in column (3), for the entry in column (4), the entry “6” shall be substituted;
- (B) after item (ii) in column (3) and the entries relating thereto in columns (3), (4) and (5), the following shall be inserted, namely:—

(3)	(4)	(5)
“(iiia) Services by way of admission to exhibition of cinematograph films where price of admission ticket is above one hundred rupees.	9	-";

- (C) in item (iiia), the words “exhibition of cinematograph films,” shall be omitted;
- (D) in column (3), in item (vi), after the brackets and figures “(ii),”, the brackets and figures “(iiia),” shall be inserted;
- (i) after serial number 37 in column (1) and the entries relating thereto in column (2), (3), (4) and (5) the following serial number and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“38.	9954 or 9983 or 9987	<p>Service by way of construction or engineering or installation or other technical services, provided in relation of setting up of following, -</p> <ul style="list-style-type: none"> (a) Bio-gas plant (b) Solar power based devices (c) Solar power generating system (d) Wind mills, Wind Operated Electricity Generator (WOEG) (e) Waste to energy plants / devices (f) Ocean waves/tidal waves energy devices/plants <p><i>Explanation:-</i>This entry shall be read in conjunction with serial number 234 of Schedule I of the notification No. 1/2017-Central Tax (Rate), published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated 28th June, 2017 vide GSR number 673(E) dated 28th June, 2017.</p>	9	-";

(ii) in paragraph 4 relating to Explanation, after clause (x), the following clauses shall be inserted, namely:—

“(xi) “specified organisation” shall mean,—

- (a) Kumaon Mandal Vikas Nigam Limited, a Government of Uttarakhand Undertaking; or
- (b) ‘Committee’ or ‘State Committee’ as defined in section 2 of the Haj Committee Act, 2002 (35 of 2002).

(xii) “goods carriage” has the same meaning as assigned to it in clause (14) of section 2 of the Motor Vehicles Act, 1988 (59 of 1988).”.

2. This notification shall come into force on the 1st day of January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note:— The principal notification No.11/2017- State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017), dated the 30th June, 2017 and was last amended by notification No. 17/2018-State Tax (Rate), dated the 27th July, 2018 *vide* number EXN-F(10)-24/2018, dated the 27th July, 2018.

[Authoritative English text of this Department Notification No.EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 28/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.— In exercise of the powers conferred by sub-section (1) of section 11 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, is pleased to make the following further amendments in the notification of the Government of Himachal Pradesh, No.12/2017- State Tax (Rate), dated the 23th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017), dated the 30th June, 2017, namely:—

In the said notification,—

(i) in the Table,—

- (a) after serial number 21A and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“21B	Heading 9965 or Heading 9967	Services provided by a goods transport agency, by way of transport of goods in a goods carriage, to,— (a) a Department or Establishment of the Central Government or State Government or Union territory; or (b) local authority; or (c) Governmental agencies, which has taken registration under the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) only for the purpose of deducting tax under Section 51 and not for making a taxable supply of goods or services.	Nil	Nil”;

(b) after serial number 27 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“27A	Heading 9971	Services provided by a banking company to Basic Saving Bank Deposit (BSBD) account holders under Pradhan Mantri Jan Dhan Yojana (PMJDY).	Nil	Nil”;

(c) against serial number 34A, in the entry in column (3), after the letters and words “PSUs from the”, the words “banking companies and” shall be inserted;

(d) against serial number 66, for the entry in column (2), the following entry shall be substituted namely:—

“Heading 9992 or Heading 9963”;

(e) serial number 67 and the entries relating thereto, shall be omitted;

(f) after serial number 74 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“74A	Heading 9993	Services provided by rehabilitation professionals recognised under the Rehabilitation Council of India Act, 1992 (34 of 1992) by way of rehabilitation, therapy or counselling and such other activity as covered by the said Actat medical establishments, educational institutions, rehabilitation centers established by Central Government, State Government or Union territory or an entity registered under section 12AA of the Income-tax Act, 1961 (43 of 1961).	Nil	Nil”;

(ii) in paragraph 2, after clause (za), the following clause shall be inserted, namely:—

“(zaa) “financial institution” has the same meaning as assigned to it in clause (c) of section 45-I of the Reserve Bank of India Act, 1934 (2 of 1934).”.

2. This notification shall come into force on the 1st day of January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note:— The principal notification No. 12/2017 - State Tax (Rate), dated the 30th June, 2017 was published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017, dated the 28th June, 2017 and was last amended by notification No. 23/2018 - State Tax (Rate), dated the 20th September, 2018 *vide* number EXN-F(10)-24/2018, dated the 20th September, 2018.

[Authoritative English text of this Department Notification No. EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 29/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No. EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-section (3) of section 9 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on the recommendations of the Council, is pleased to make the following further amendments in the notification of the Government of Himachal Pradesh, No. 13/2017- State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017, dated the 30th June, 2017, namely:—

In the said notification,—

- (i) in the Table,—

- (a) against serial number 1, in the entry in column (2), after item (g), the following proviso shall be inserted, namely:—

“Provided that nothing contained in this entry shall apply to services provided by a goods transport agency, by way of transport of goods in a goods carriage by road, to,—

- (a) a Department or Establishment of the Central Government or State Government or Union territory; or
- (b) local authority; or
- (c) Governmental agencies,

which has taken registration under the **Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017)** only for the purpose of deducting tax under section 51 and not for making a taxable supply of goods or services.”;

(b) after serial number 11 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)
“12.	Services provided by business facilitator (BF)to a banking company	Business facilitator (BF)	A banking company, located in the taxable territory
13.	Services provided by an agent of business correspondent (BC) to business correspondent (BC).	An agent of business correspondent (BC)	A business correspondent, located in the taxable territory.
14.	<p>Security services (services provided by way of supply of security personnel) provided to a registered person:</p> <p>Provided that nothing contained in this entry shall apply to,—</p> <p>(i)(a) a Department or Establishment of the Central Government or State Government or Union territory; or</p> <p>(b) local authority; or</p> <p>(c) Governmental agencies; which has taken registration under the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017) only for the purpose of deducting tax under section 51 of the said Act and not for making a taxable supply of goods or services; or</p> <p>(i) a registered person paying tax under section 10 of the said Act.</p>	Any person other than a body corporate	A registered person, located in the taxable territory.”;

(ii) in the Explanation, after clause (g), the following clause shall be inserted, namely:—

“(h) provisions of this notification, in so far as they apply to the Central Government and State Governments, shall also apply to the Parliament and State Legislatures.”.

2. This notification shall come into force on the 1st day of January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note:— The principal notification No. 13/2017- State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017, dated the 30th June, 2017 and was last amended by notification No. 15/2018 - State Tax (Rate), dated the 27th July, 2018 *vide* number EXN-F(10)-24/2018, dated the 27th July, 2018.

[Authoritative English text of this Department Notification No. EXN-F(10)-33/2018 dated 31-12-2018 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION No. 30/2018-State Tax (Rate)

Shimla-2, the 31st December, 2018

No.EXN-F(10)-33/2018.—In exercise of the powers conferred by sub-section (3) of section 11 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh, on the recommendations of the Council, and on being satisfied that it is necessary so to do for the purpose of clarifying the scope and applicability of the notification of the Government of Himachal Pradesh, No. 11/2017- State Tax (Rate), dated the 30th June, 2017, published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017), dated the 30th June, 2017, hereby inserts the following Explanation in the said notification, in the Table, against serial number 9, in column (3), in item (vi), namely:—

“Explanation 2.—Nothing contained in this item shall apply to supply of a service other than by way of transport of goods from a place in India to another place in India”.

2. The existing *Explanation* in the above items shall be renumbered as *Explanation 1*.
3. This notification shall come into force on the 1st day of January, 2019.

By order,

(JAGDISH CHANDER SHARMA),
Principal Secretary (E&T).

Note:—The principal notification No. 11/2017- State Tax (Rate), dated the 30th June, 2017, was published in the Gazette of Himachal Pradesh, *vide* number EXN-F(10-15/2017), dated the 30th June, 2017 and was last amended by notification No. 17/2018-State Tax (Rate), dated the 27th July, 2018 *vide* number EXN-F(10)-24/2018, dated the 27th July, 2018.

ब अदालत कार्यकारी दण्डाधिकारी, पांवटा साहिब, जिला सिरमौर, हिंगे प्र०

सुश्री Koshar Praveen पुत्री श्री Manjoor Ali Malik, निवासी Rampur Banjarun, तहसील पांवटा साहिब, जिला सिरमौर, हिंगे प्र० वादी।

बनाम

आम जनता

प्रतिवादी।

प्रकरण संख्या : 3863

उनवान मुकदमा—प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

सुश्री Koshar Praveen पुत्री श्री Manjoor Ali Malik, निवासी Rampur Banjarun, तहसील पांवटा साहिब, जिला सिरमौर, हिंगे प्र० ने एक प्रार्थना—पत्र प्रस्तुत करके निवेदन किया है कि आवेदिका किन्हीं कारणों

से अपनी Koshar Praveen की जन्म तिथि 14–05–2000 का इन्द्राज निर्धारित अवधि के अन्दर सम्बन्धित ग्राम पंचायत में दर्ज नहीं करवा पाई है। इस बारे आवेदिका द्वारा एक व्यान हल्फी भी पेश किया गया है तथा इस सम्बन्ध में दो गवाहों के शपथ—पत्र भी आवेदिका ने अपने प्रार्थना—पत्र के साथ संलग्न किये हैं। आवेदिका ने ग्राम पंचायत Rampur Baharapur में अपनी ऊपर वर्णित जन्म तिथि 14–05–2000 को दर्ज करने का अनुरोध किया है।

अतः इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि किसी भी व्यक्ति को Koshar Praveen की जन्म तिथि ग्राम पंचायत Rampur Baharapur, तहसील पांवटा साहिब में दर्ज करने बारे कोई एतराज हो तो वह मिती 31–12–2018 को या इससे पूर्व हमारे न्यायालय में हाजिर होकर लिखित अथवा मौखिक एतराज पेश कर सकता है। उक्त निश्चित तिथि के बाद कोई भी एतराज मान्य नहीं होगा और समझा जायेगा कि उक्त Koshar Praveen की जन्म—तिथि को सम्बन्धित ग्राम पंचायत में दर्ज करने बारे किसी को कोई एतराज नहीं है तथा नियमानुसार जन्म तिथि पंजीकरण के आदेश जारी कर दिये जायेंगे।

आज दिनांक 30–11–2018 को हमारे हस्ताक्षर व मोहर से जारी हुआ।

मोहर।

हस्ताक्षरित /—
कार्यकारी दण्डाधिकारी,
पांवटा साहिब, जिला सिरमौर, हिं0 प्र0।

